

STATE OF TENNESSEE
PUBLIC CHAPTER NO. 123
SENATE BILL NO. 323

By Johnson

Substituted for: House Bill No. 661

By Sargent

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 4, Part 1 and Title 68, Chapter 201, Part 1, relative to motor vehicle inspection and maintenance programs.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-4-130, is amended by adding the following language as a new subsection:

(e) The air pollution control board is authorized in any county subject to this section to provide an enhanced inspection and maintenance program utilizing remote sensing devices that will identify vehicles that comply with the air quality criteria determined by the board. For those vehicles that meet the air quality criteria determined by the board through a remote sensing device, the requirement for an annual emissions test can be fulfilled without the need for passing vehicles to also visit an inspection and maintenance inspection facility. Without regard to the current terms of contracts that support an inspection and maintenance program and any other law notwithstanding, the board is authorized and encouraged to utilize technologies that can increase motorist convenience or compliance or both with air quality criteria determined by the board. In order to evaluate any such technology, the board is further authorized to extend, if necessary, any inspection and maintenance program contract for no more than twenty-four (24) months beyond its current expiration date.

SECTION 2. Tennessee Code Annotated, Section 55-4-130, is amended by adding a new subsection thereto, as follows:

(f)(1) The provisions of subsection (e) shall only apply to those counties on the effective date of this act that have been designated by the air pollution control board to have an inspection and maintenance program pursuant to the provisions of subsection (a).

(2) A board or any entity or vendor that contracts to perform annual emissions tests pursuant to subsection (e) shall promptly and permanently purge all identifying information regarding motor vehicles that are not registered in a county that has been designated by the air pollution control board to have an inspection and maintenance program pursuant to the provisions of subsection (a).

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 20, 2009



RON RAMSEY
SPEAKER OF THE SENATE



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 5th day of May 2009



PHIL BREDESEN, GOVERNOR